

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-4964**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

OLUFUNSHO E. OSHUNLETI, a/k/a F.J.,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Jerome B. Friedman, District Judge. (CR-02-37)

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Submitted: April 24, 2003

Decided: May 1, 2003

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Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Steven A. Mirman, ST. CLAIR, ST. CLAIR, BRAGG, MIRMAN, SANDWICH AND ROSENBLUM, Norfolk, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Darryl J. Mitchell, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Olufunsho E. Oshunleti appeals from the judgment of the district court convicting him upon his guilty plea of conspiring to commit bank fraud and uttering forged or counterfeited securities in violation of 18 U.S.C. §§ 2, 371, 513, 1344 (2000). Oshunleti claims that district court abused its discretion by denying his motion for a continuance made on the morning of trial in order that he be allowed to obtain new counsel. Our review of the record discloses that Oshunleti failed to demonstrate good cause for the continuance. His motion was untimely. Moreover, he failed to demonstrate a conflict so great as to create a total lack of communication between himself and defense counsel. Accordingly, we conclude that the district court did not abuse its discretion in denying Oshunleti's motion for a continuance. See United States v. Mullen, 32 F.3d 891, 895 (4th Cir. 1994). We affirm his convictions and sentence. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED